

Hon. Salvador Mendoza, Jr.

Marc Rosenberg
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Attorneys for Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON AT SPOKANE

ALEX MCVICKER and MARK
MOSS, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

GIGA WATT, INC.; GIGAGWATT
PTE LTD.; CRYPTONOMOS PTE.
LTD.; DAVE CARLSON; LEONID
MARKIN; and EDWARD
KHAPTAKHAEV, a foreign
corporation,

Defendants.

RAYMOND BALESTRA,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

GIGA WATT, INC., ET AL.,

Defendants.

No. 2:18-cv-00103-SMJ

(Consolidated with
No. 2:18-cv-00100)

NOTICE OF AUTOMATIC STAY
PURSUANT TO 11 U.S.C. § 362

TO INTERESTED PARTIES:

PLEASE TAKE NOTICE that the Giga Watt, Inc. (the “Debtor”) filed a

NOTICE OF AUTOMATIC STAY PURSUANT TO 11
U.S.C. § 362 - 1
6453108.doc

LEE · SMART

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1 voluntary petition under chapter 11 of the United States Bankruptcy Code on
2 November 19, 2018. The Debtor's bankruptcy reorganization case is pending
3 before the United States Bankruptcy Court for the Eastern District of Washington,
4 as Case No. 18-03197-FPC11. A copy of the face-page of the Debtor's chapter 11
5 petition is attached hereto.

6 PLEASE TAKE FURTHER NOTICE that upon the filing of the Debtor's
7 chapter 11 petition an automatic stay went into effect with respect to the Debtor
8 pursuant to 11 U.S.C. § 362. As a result, at this time, all entities are stayed and
9 prohibited from:

- 10 (1) the commencement or continuation, including the issuance or
11 employment of process, of a judicial, administrative, or other
12 action or proceeding against the debtor that was or could have
13 been commenced before the commencement of the case under
14 this title, or to recover a claim against the debtor that arose
before the commencement of the case under this title;
- 15 (2) the enforcement, against the debtor or against property of the
16 estate, of a judgment obtained before the commencement of the
17 case under this title;
- 18 (3) any act to obtain possession of property of the estate or of
19 property from the estate or to exercise control over property of
the estate;
- 20 (4) any act to create, perfect, or enforce any lien against property of
21 the estate;
- 22 (5) any act to create, perfect, or enforce against property of the
23 debtor any lien to the extent that such lien secures a claim that
24 arose before the commencement of the case under this title;
- 25 (6) any act to collect, assess, or recover a claim against the debtor
that arose before the commencement of the case under this title;

1 (7) the setoff of any debt owing to the debtor that arose before the
2 commencement of the case under this title against any claim
3 against the debtor; and

4 (8) the commencement or continuation of a proceeding before the
5 United States Tax Court concerning a tax liability of a debtor
6 that is a corporation for a taxable period the bankruptcy court
7 may determine or concerning the tax liability of a debtor who is
8 an individual for a taxable period ending before the date of the
9 order for relief under this title.

10 11 U.S.C. § 362.

11 Respectfully submitted this 14th day of December, 2018.

12 By: s/ Marc Rosenberg

13 Marc Rosenberg, WSBA No. 31034
14 Of Attorneys for Defendants
15 Giga Watt, Inc., Dave Carlson, Leonid
16 Markin and Edwrd Khaptakhaev

17 Lee Smart, P.S., Inc.
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DECLARATION OF SERVICE

I hereby certify that on this date I filed the foregoing document with the Clerk of the Court using the court's ECF filing system, which will automatically serve the filing on registered users.

Roger M. Townsend rtownsend@bjtlegal.com

Dated this 14th day of December, 2018 at Seattle, Washington.

LEE SMART, P.S., INC.

By: s/ Marc Rosenberg

Marc Rosenberg, WSBA No. 31034
Of Attorneys for Defendants
Giga Watt, Inc., Dave Carlson, Leonid
Markin and Edwrd Khaptakhaev

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Exhibit 1

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF WASHINGTON

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

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If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name GIGA WATT INC

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 81-4797010

4. Debtor's address Principal place of business

2504 Columbia Ave NW
East Wenatchee, WA 98802-3941
Number, Street, City, State & ZIP Code

DOUGLAS
County

Mailing address, if different from principal place of business

1250 N Wenatchee Ave, Suite H #147
Wenatchee, WA 98801
P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: